

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

543A0787

SENATE AGRICULTURE & NATURAL RESOURCES COMMITTEE ENGROSSED NO. **SCR4** - 2/19/97

Introduced by: Senators Dunn (Jim), Aker, Flowers, Morford-Burg, Shoener, and Vitter and
Representatives Brooks, DeMersseman, Derby, Duniphan, Madden, Matthews,
Monroe, Napoli, and Pederson (Gordon)

1 A CONCURRENT RESOLUTION, Urging the Environmental Protection Agency to reaffirm
2 certain air quality standards.

3 WHEREAS, the U.S. Environmental Protection Agency (EPA) has a responsibility to review
4 periodically the National Ambient Air Quality Standards (NAAQS) for ozone and particulate
5 matter (PM); and

6 WHEREAS, EPA is considering establishing a more stringent ozone standard and a new,
7 more stringent standard for particulate matter at or below 2.5 microns (PM2.5); and

8 WHEREAS, South Dakota, its local jurisdictions, businesses, and citizens have supported
9 health-based National Ambient Air Quality Standards (NAAQS) that are premised on sound
10 science; and

11 WHEREAS, the proposed new standards will significantly expand the number of
12 nonattainment areas for both ozone and particulate matter, resulting in additional emission
13 controls in all areas, thus imposing significant economic, administrative, and regulatory burdens
14 on South Dakota, its citizens, businesses, and local governments; and

1 WHEREAS, preliminary data analysis on the new PM2.5 standard by EPA places Pennington
2 County on the projected nonattainment list; and

3 WHEREAS, EPA's own Clean Air Science Advisory Committee was unable to find any
4 "bright line" that would distinguish any public health benefit among any of the proposed new
5 standards for ozone, including the current standard; and

6 WHEREAS, there are no EPA approved methods for PM2.5 testing and little existing PM2.5
7 monitoring data; and

8 WHEREAS, there are many unanswered questions and scientific uncertainties regarding the
9 health effects of particulate matter, and in particular PM2.5, including divergent opinions among
10 scientists who have investigated the issue; exposure misclassification; measurement errors; lack
11 of supporting toxicological data; lack of a plausible toxicological mechanism; lack of correlation
12 between recorded PM levels and public health effects; influence of other variables; and the
13 existence of possible alternative explanations; and

14 WHEREAS, no scientific proof exists that establishing a more stringent ozone standard or
15 a new, more stringent PM2.5 standard would avoid alleged adverse health, but would assuredly
16 impose significantly higher costs:

17 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Seventy-second Legislature
18 of the State of South Dakota, the House of Representatives concurring therein, that the State
19 of South Dakota advises and strongly urges EPA to reaffirm the existing NAAQS for ozone;
20 advises and strongly urges EPA to refrain from establishing a new NAAQS for PM2.5 at this
21 time, and to gather the necessary PM2.5 monitoring data and conduct all necessary research
22 needed to address the issue of causality and other critical and important unanswered scientific
23 questions concerning PM2.5; and advises and strongly urges EPA to identify any unfunded
24 mandates or other administrative and economic burdens for the state or local governments or
25 agencies that would result from the proposed changes to the NAAQS for ozone and particulate

1 matter.

1 **BILL HISTORY**

2 2/18/97 Scheduled for Committee hearing on this date.

3 2/18/97 Agriculture & Natural Resources Adopt Resolution as Amended, AYES 8, NAYS 1.

4 S.J. 506